

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JERMAINE MCGINNIS,
Plaintiff,

v.

ORANGE COUNTY; CORRECTION
OFFICER BANDES, Badge #105 or #106;
CORRECTION OFFICER M. CARGER, Badge
#339; CORRECTION OFFICER
DONAHOUGH; and CORRECTION OFFICER
D. POWEL,
Defendants.

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7/21/22

ORDER

22 CV 3335 (VB)

Copies Mailed/Faxed
Chambers of Vincent L. Briccetti 7/21/22 DH

Plaintiff, who is proceeding pro se and in forma pauperis, commenced this action by filing a complaint. (Doc. #1).

Because plaintiff is proceeding in forma pauperis, he is entitled to rely on the Court and the U.S. Marshals Service to effect service. On July 18, 2022, the U.S. Marshals Service attempted service on defendants C.O. M. Carter, Badge #339, and C.O. D. Powel. (Docs. #18–19). However, service receipts for these defendants were returned unexecuted, and the receipts indicate C.O. Carter is no longer located at Orange County Jail (Doc. #18) and that there are multiple individuals at the facility with the last name Powel. (Doc. #19).

In accordance with Valentin v. Dinkens, 121 F.3d 72 (2d Cir. 1997), by September 19, 2022, the Orange County Attorney must provide the Court an address where C.O. Carter may be served, and must attempt to identify the individual C.O. D. Powel described in plaintiff's complaint—that is, an officer who accompanied plaintiff to Garnet Health Medical Center in 2021 or early 2022. (See Doc. #1, at 6).

In addition, the Court sua sponte extends plaintiff's deadline to serve these defendants to October 19, 2022. If the complaint is not served within that time, plaintiff should request an extension of time to complete service.

Chambers will mail a copy of this Order to plaintiff at the address listed on the docket.
Chambers will also mail a copy of this Order to the Orange County Attorney at 255 Main Street,
Goshen, New York 10924.

Dated: July 21, 2022
White Plains, NY

SO ORDERED:



Vincent L. Briccetti
United States District Judge